

STATE OF WISCONSIN

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JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Mark Miller
Representative Mark Pocan

Date: March 3, 2010

Re: DHS Report on Management of Milwaukee County Income
Maintenance Programs

Attached is a copy of a report from the Department of Health Services (DHS) documenting its management of the Milwaukee County income maintenance programs, pursuant to Section 9122(5x) of 2009 Act 28.

Act 28 requires DHS to provide the Joint Committee on Finance copies of all reports which document its management of the Milwaukee County income maintenance programs, including all monthly Milwaukee County Enrollment Services reports, that the Department is required to provide to the plaintiffs in the litigation against agency officials and others, known as *West v. Timberlake*, under a settlement agreement entered into on April 16, 2009.

The report is being provided for your information only. No formal action is required by the Committee. Please feel free to contact us if you have any questions.

Attachments

MM:MP:jm



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Jim Doyle
Governor

Karen E. Timberlake
Secretary

State of Wisconsin
Department of Health Services

March 1, 2010

RECEIVED
MAR 03 2010
BY: St. Finance

Senator Mark Miller, Co-Chair
Joint Committee on Finance
Room 317 East State Capitol
Madison WI 53702

Representative Mark Pocan, Co-Chair
Joint Committee on Finance
Room 309 East State Capitol
Madison WI 53703

Dear Senator Miller and Representative Pocan:

Section 9122(5x) of 2009 Act 28 requires the Department of Health Services to provide the Joint Committee on Finance copies of all reports documenting its management of the Milwaukee County income maintenance programs that the Department is required to provide to the plaintiffs in the litigation known as *West v. Timberlake*, under a settlement agreement entered into on April 16, 2009.

Attached is the third report provided to plaintiffs, which was transmitted on February 26, 2010. Please contact me at 266-9622 with any questions.

Sincerely,

Diane M. Welsh
Chief Legal Counsel



Jim Doyle
Governor

Karen E. Timberlake
Secretary

State of Wisconsin
Department of Health Services

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February 26, 2010

Ms. Anne L. DeLeo
Nelson, Irvings & Waeffler, S.C.
3077 N. Mayfair Road, Suite 203
Wauwatosa, WI 53222

Re: *West et al. v. Timberlake, et al.*
Case No. 08-CV-670 (E.D. Wis.)

Dear Ms. DeLeo:

Attached please find the State Defendants' monthly report for performance of the Milwaukee Enrollment Services Center (MILES) for January 2010, as set forth in Section III.B. of the Settlement Agreement in the above-referenced case.

Please note the following:

- The applications that MILES processed in January included both those which may have been filed with Milwaukee County in 2009 or with MILES in January, 2010. As you know, Milwaukee County was responsible for applications made in-person during the month of December. Those applications that Milwaukee County did not process in December were processed by MILES staff in January. Notably, many of the applications listed as processed untimely were those submitted during December 2009.
- In January, MILES processed reviews that were due in both December and January. Milwaukee County was responsible for the majority of reviews that were due in December, 2009. When the Department assumed full control on January 4th, MILES staff found a box containing 331 reviews that had been mailed in and received by Milwaukee County prior to December 31, 2009. All of these mail-in reviews were completed by MILES in January, 2010; all are included in the untimely count of reviews in this report.
- In addition to the number of Six Month Report Forms (SMRFs) noted on the report, MILES staff also processed 879 SMRFs that had been received by Milwaukee County during 2009, but not forwarded to MILES until December 30th, 2009. Because this report form only includes SMRFs that were received in January, they are not reflected on the report. However, they do represent additional work completed by MILES staff during this report period.

- When staff reviewed the data for the January 2010 Report, they found that the number of cases pending for verification was very large. Staff discovered that there were thousands of cases that Milwaukee County had left in pending status for a very long time. It appears that most of these cases are not pending due to verification. Rather, it appears that Milwaukee County should have confirmed the cases were denied or terminated, but did not do so. MILES staff are reviewing each of these cases. As we discussed, the Department will provide you with a description of these pending cases after this review is complete. Per our agreement, the Department will begin to report the total number of pending cases for the March 2010 Report.
- As we discussed, the Department is in the process of developing a verification checklist with the input of stakeholders. After the checklist is developed, changes will be made to the CARES system, including a change that will permit the Department to use CARES to track the date the verification was submitted. Until that change to CARES is made, the Department is unable to use CARES to determine the timeliness of verification documents for change reports. As we discussed, the Department will begin reporting on this criterion no later than the April Report.

If you have any questions about the report, please do not hesitate to contact me.

Sincerely,



Diane M. Welsh
Chief Legal Counsel

cc: Steven Kilpatrick, Department of Justice

Milwaukee County Enrollment Services Report
January 2010 (created 2/26/2010)

Report	Criteria	Details	
		Count	Percentage
Programs Open for and Confirmed in January 2010	BadgerCare Plus Only	17,122	15.44%
	Medicaid EBD Only	12,182	10.99%
	Medicaid Other Only	2,932	2.64%
	BadgerCare Plus and FoodShare	43,286	39.04%
	Medicaid EBD, LTC and FoodShare	9,056	8.17%
	Medicaid Other and FoodShare	935	0.84%
	FoodShare	25,372	22.88%
	Total Cases	110,885	
Timeliness	Applications Processed in Month*	5,018	
	Applications Processed Timely	4,087	81.44%
	Applications Processed Untimely	931	18.55%
	Reviews Processed in Month*	8,089	
	Reviews Processed Timely	7,751	95.82%
	Reviews Processed Untimely	338	4.17%
	SMRFs Received in Month:	3,047	
	<u>Received by the 5th day of the Month</u>	1,917	
	Processed Timely	1,917	100.00%
	Processed Untimely	0	0.00%
	<u>Received after 5th day but within the Month</u>	1,130	
	Processed Timely	1,111	98.32%
	Processed Untimely	19	1.68%
Churning	Number of Cases Closed in Last 60 Days and Reopened This Month	589	
Change/Call Center	Total Phone Calls Milwaukee Change/Call Center	57,539	
	Percentage Answered	54.33%	
	Average Hold Time	18.5 minutes	

*Includes processing of matters filed with Milwaukee County prior to 1/1/2010.